

### AMENDMENTS TO THE CLAIMS

1. (Currently Amended) ~~In an information storage apparatus capable of rotating a recording medium in a plurality of rotation modes, a~~ A method of storing data in [[the]] recording media using an information storage apparatus which has a plurality of rotation modes of said recording media medium, the method comprising the steps of:

~~background-formatting a step of formatting said [[the]] recording media medium in a first rotation mode suitable for the background-formatting;~~

a step of stopping, in response to a request for storing data in said recording media, formatting of said recording media;

a step of setting said recording media in a second rotation mode that is suitable for storing data in said recording media;

a step of storing data in said recording media in said second rotation mode;

a step of setting, in response to an end of storing data in said recording media, said recording media in said first rotation mode; and

a step of resuming of formatting said recording media in said first rotation mode,

wherein the first rotation mode and the second rotation mode are different in recording speed

~~receiving a user request for writing user data in the recording medium during the background-formatting;~~

~~determining whether the first rotation mode is suitable for the storing and reproducing of the user request;~~

~~if the first rotation mode is not suitable for the storing and reproducing of the user request, changing from the first rotation mode to a second rotation mode and writing the user data to the recording medium at the second rotation mode; and~~

~~subsequently, if the background formatting has not been completed, resuming the background formatting in the first rotation mode after writing the user data to the recording medium.~~

2. (Currently Amended) The method ~~[[of]]~~ for storing data as claimed in claim 1, wherein said recording medium formatted in said first rotation mode is rotated at a maximum rotating speed at which said information storage apparatus can store data in said recording medium.

3. (Currently Amended) The method ~~[[of]]~~ for storing data as claimed in claim 1, wherein said first rotation mode is a constant linear velocity mode.

4. (Currently Amended) The method ~~[[of]]~~ for storing data as claimed in claim 1, wherein said first rotation mode is a zone constant linear velocity mode.

5. (Currently Amended) The method ~~[[of]]~~ for storing data as claimed in claim 1, further comprising a step of measuring time, in response to an end of storing data in said recording medium, wherein said step of resuming of formatting said recording media ~~medium~~ is not performed until a predetermined period of time passes.

6. (Currently Amended) The method ~~[[of]]~~ for storing data as claimed in claim 1, further comprising a step of measuring time, in response to an end of storing data in said recording media ~~medium~~, wherein formatting said recording media ~~medium~~ is resumed in said second rotation mode before a predetermined period of time passes.

7. (Currently Amended) The method ~~[[of]]~~ for storing data as claimed in claim 6, wherein after said predetermined period of time passes, said recording ~~media medium~~ is set in said first rotation mode.

8. (Currently Amended) The method ~~[[of]]~~ for storing data as claimed in claim 1, wherein said recording ~~media medium~~ is a rewritable optical disc.

9. (Currently Amended) An information storage apparatus having a plurality of rotation modes of recording media, comprising:

~~a motor configured to rotate a recording medium~~ which rotates said recording media in a plurality of rotation [[modes]] mode;

~~a read/write head configured to read and write data to the recording medium; and~~

a controller which formats said recording media in a first rotation mode, stops, in response to a request for storing data in said recording media, formatting said recording media, sets the recording media in a second rotation mode that is suitable for storing data, stores data in said recording media in said second rotation mode, sets, in response to an end of storing data in said recording media, the recording media in said first rotation mode, and resumes formatting the recording media in said first rotation mode,

wherein the first rotation mode and the second rotation mode are different in recording speed  
~~configured to:~~

~~background-format the recording medium in a first rotation mode suitable for the background-formatting;~~

~~receive a user request for writing user data in the recording medium during the background-formatting;~~

~~determine whether the first rotation mode is suitable for the storing and reproducing of the user request in response to receipt of the user request; if the first rotation mode is not suitable for the storing and reproducing of the user request, rotate the recording medium at a second rotation mode and writing the user data to the recording medium at the second rotation mode; and~~

~~if the background formatting has not been completed, resume the background formatting in the first rotation mode after writing the user data to the recording medium.~~

10. (Currently Amended) The information storage apparatus as claimed in claim 9, wherein said recording ~~medium~~ media formatted in said first rotation mode is rotated at a maximum rotational speed at which said information storage apparatus can store data in said recording ~~medium~~ media.

11. (Original) The information storage apparatus as claimed in claim 9, wherein said first rotation mode is a constant linear velocity mode.

12. (Original) The information storage apparatus as claimed in claim 9, wherein said first rotation mode is a zone constant linear velocity mode.

13. (Currently Amended) The information storage apparatus as claimed in claim 9, further comprising a timer which starts in response to an end of storing data in said recording ~~medium~~ media, wherein said controller resumes formatting said recording ~~medium~~ media after a predetermined period of time passes.

14. (Currently Amended) The information storage apparatus as claimed in claim 9, further comprising a timer which starts in response to an end of storing data in said recording ~~medium~~ media, wherein said controller resumes formatting said recording ~~medium~~ media in said second rotation mode before a predetermined period of time passes.

15. (Currently Amended) The information storage apparatus as claimed in claim 14, wherein after said predetermined period of time passes, said recording ~~medium~~ media is set in said first rotation mode.

16. (Currently Amended) The information storage apparatus as claimed in claim 9, wherein said recording ~~medium~~ media is a rewritable optical disc.

17. (Original) An information processing apparatus comprising the information storage apparatus as claimed in claim 9.

18. (Currently Amended) A computer readable medium storing a computer program for storing data in rewritable recording media that is to be installed in a digital computer having an information storage apparatus which has a plurality of rotation modes of recording media, comprising ~~for performing the steps of:~~

~~background-formatting~~ a step of formatting said recording ~~medium~~ media in a first rotation mode ~~suitable for the background-formatting;~~

a step of stopping, in response to a request for storing data in said recording media,  
formatting of said recording media;

a step of setting said recording media in a second rotation mode that is suitable for  
storing data;

a step of storing data in said recording media in said second rotation mode;  
a step of setting, in response to an end of storing data in said recording media, said  
recording media in said first rotation mode; and  
a step of resuming of formatting said recording media in said first rotation mode,  
wherein the first rotation mode and the second rotation mode are different in recording  
speed  
~~receiving a user request for writing user data in the recording medium during the~~  
~~background formatting;~~  
~~determining whether the first rotation mode is suitable for the storing and reproducing of~~  
~~the user request;~~  
~~if the first rotation mode is not suitable for the storing and reproducing of the user~~  
~~request, changing from the first rotation mode to a second rotation mode and writing the user data to~~  
~~the recording medium at the second rotation mode; and~~  
~~subsequently, if the background formatting has not been completed, resuming the~~  
~~background formatting in the first rotation mode after writing the user data to the recording~~  
~~medium.~~

19-24. (Canceled)